

April 26, 2004

Hon. Nancy Gertner
United States District Judge
District of Massachusetts
1 Courthouse Way
Boston, MA 02210

Re: David G. Stern v. David L. Winn
Civil File # 04-10465 NG

Dear Judge Gertner,

On March 8, 2004, I filed a Petition for Writ of Habeas Corpus with this Honorable Court, wherein I requested, in addition to substantive relief, that a Order to Show Cause be issued and that service of process be allowed to be accomplished using a third party.

To date, service has been made (Certificates of Service have been filed) however, notwithstanding the provisions of 28 §2243, "(t)he Writ, or Order to show cause..." has **not** been directed "to the person having custody of the person detained."

The issue is self explanatory...without the Order to Show Cause, the case cannot proceed and without so intending, justice may be denied by virtue of the passage of time without resolution.

I recognize the inherent problems with proceeding pro se, however it is in part because of the significant economic impact upon me and my family, that I have commenced this action in the first place.

I respectfully request that this Honorable Court forthwith issue said Order to Show Cause and in doing so, take into consideration the fact that all parties required to be served, have already been so served...over thirty (30) days ago.

Thanking you in advance, I remain,

yours very truly,

David G. Stern
23799-038 Unit I (Camp)
Federal Medical Center, Devens
P.O. Box 879
Ayer, MA 01432

cc: Michael Sullivan
United States Attorney